REMARKS/ARGUMENTS

The claims are 2-11. Claim 1 has been canceled in favor of new claim 11 to better define the invention. Accordingly, claims 2-4, and 6-10, which previously depended on claim 1, have been amended to depend on new claim 11. These claims and claim 5 have also been amended to improve their form. Reconsideration is expressly requested.

Claims 1 and 8 were rejected under 35 U.S.C. 112, second paragraph as being indefinite for the reasons set forth on page 2 of the Office Action. In response, Applicant has canceled claim 1 in favor of new claim 11, and has amended claims 2-10. It is respectfully submitted that the currently pending claims fully comply with 35 U.S.C. 112, second paragraph, and Applicant respectfully requests that the Examiner's rejection of the claims on the basis of these informalities be withdrawn.

Claims 1, 2, 4, 5, 7, 9 and 10 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Dinger et al. U.S. Patent No.*

5,896,816 in view of *Cullom U.S. Patent No. 3,783,792*. The remaining claims were rejected under 35 U.S.C. 103(a) as being unpatentable over *Dinger et al.* and *Cullom* and further in view of *Brower U.S. Patent No. 4,897,011* (claim 3), *Tax et al. U.S. Patent No. 5,931,625* (claim 6), or *Ream U.S. Patent No. 4,457,403* (claim 8).

Essentially the Examiner's position was that *Dinger et al.* discloses the multiple trolley container crane recited in the claims except for upper and lower trolley tracks, that *Cullom* discloses this feature, and that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of *Dinger et al.* to include upper and lower tracks, as per the teachings of *Cullom*, for maintenance without interference to operations.

Brower was cited with respect to claim 3 as teaching that a rack with gear wheel is a known alternative to hydraulic hoists given the cost of hydraulic hoists. *Tax et al.* was cited with respect to claim 6 as disclosing an extendable power on contact

lines along trolley tracks to supply power necessary for a trolley to traverse a track. *Ream* was cited with respect to claim 8 as disclosing a trolley having a battery storage unit and an oil pressure storage unit which house the means by which a trolley can raise and lower such that maximum raising height can more efficiently be achieved.

This rejection is respectfully traversed.

As set forth in new claim 11, Applicant's invention provides a multiple trolley container crane including at least upper and lower trolley tracks, and a plurality of trolleys for traveling on the trolley tracks. Each trolley has laterally deployable and retractable running wheels, a driving device, and an integrated lifting system for supporting the trolley on or beside the trolley tracks and enabling the trolley to pass from the lower trolley track to the upper trolley track and vice versa. In this way, Applicant provides a multiple trolley container crane on which several trolleys can move at the same time at different height levels, whereby the transport of several containers is

made possible with a simple method of construction and procedure.

None of the cited references discloses or suggests a multiple trolley container crane having the structure recited in new claim 11, or teaches the benefits of having laterally deployable and retractable running wheels, that permit transfer from a track to an upper or lower track by the trolley or railcar at any location along the tracks.

The primary reference to *Dinger et al.* discloses a lateral moving member, such as a hydraulic cylinder, integrated with the vertical lifting members and the foot. When the vertical lifting members extend the foot and the foot maintains its position on the ground or other support, the rest of the rail car can be moved laterally by the lateral moving member. *Dinger et al.* also discloses that the foot, hydraulic cylinders, a rod in the hydraulic cylinder, or the entire re-railing apparatus can retract. Contrary to the Examiner's position, there is no disclosure or suggestion of a trolley having laterally deployable and retractable running wheels. *Dinger et al.'s* wheels, which

are 12 and not 10 as stated by the Examiner, are not laterally retracted and extended, in contrast to Applicant's invention as recited in new claim 11, in which the running wheels can be laterally retracted and extended while the rest of the trolley does not move laterally. The method of re-railing used in *Dinger et al.*, with vertical and then lateral movements of the railcar, is able to function because there is nothing overhead to encumber vertical movement. In Applicant's invention as recited in new claim 11, the trolleys move from an upper to a lower track or vice versa with lateral movements only at portions of the lifting system such as running wheels 20 and without lateral movements of the main body of the trolley. In contrast, *Dinger et al.* discloses railcars for the re-railing apparatus integral to the railcar wherein derailed cars can be re-railed by vertical and then lateral movements of the railcar caused by the re-railer apparatus's vertical and lateral moving members.

The defects and deficiencies of the primary reference to *Dinger et al.* are nowhere remedied by the secondary references to *Cullom, Brower, Tax et al,* or *Ream.* Like *Dinger et al., Cullom*

fails to disclose or suggest laterally deployable and retractable running wheels. *Cullom* discloses only one crane elevator section 25 along the length of the track so that all transferring of cranes from the upper level of track to the lower level or track or vice versa occurs at one location along the railways. Contrary to the Examiner's position, the method of re-railing used in the primary reference to *Dinger et al.* would not work in combination with the upper and lower track in *Cullom* because the railcar would hit the upper or lower track unless additional features not found in *Dinger et al.* and *Cullom* were added, which are nowhere disclosed or suggested in any of the cited references.

Although a hypothetical combination of *Dinger et al.* and *Cullom* may perhaps provide railcars or trolleys with integrated lifting systems and upper and lower tracks, it is respectfully submitted that this combination would still fail to disclose or suggest means by which the railcars or trolleys would have the ability to disengage from tracks before vertical movement, and then re-engage to an upper and lower track after vertical

movement. Thus, moving from a track to an upper or lower track for this proposed combination would be limited to one location along the tracks of the crane as disclosed in *Cullom* at the crane elevator section 25, and would not provide the advantage of Applicant's invention as recited in new claim 11, of greater flexibility and shorter loading times, which occurs because track transfer can occur at any location along the railways of the container crane with Applicant's multiple trolley container crane.

The remaining references to *Brower*, *Tax et al.*, and *Ream* have been considered but are believed to be no more relevant. None of these references discloses or suggests a multiple trolley container crane as recited in Applicant's new claim 11, or teaches the benefits achieved by having each trolley have laterally deployable and retractable running wheels, which permit transfer from a track to an upper or lower track of the trolley or railcar at any location along the track system.

Accordingly, it is respectfully submitted that new claim 11,

together with claims 2-10, which have been amended to depend directly or indirectly thereon.

In summary, claim 1 has been canceled, claims 2-10 have been amended, and new claim 11 has been added. In view of the foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Applicant also submits herewith a Supplemental Information Disclosure Statement.

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Enclosures: Supplemental Information Disclosure Statement with PTO Form 1449 with five (5) references, Check in the amount of $180.00

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 14, 2007.

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